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Congress of the United States
House of Representatives
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August 28, 2014

The Honorable Jeh Johnson
Secretary
U.S. Department of Homeland Security
Nebraska Avenue Center, NW
Washington, DC 20528

The Honorable Gil Kerlikowski
Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW
Washington, DC 20229

Mr. Thomas Winkowski
Acting Principle Deputy Assistant Secretary
U.S. Immigration and Customs Enforcement
500 12th Street SW
Washington, DC 20536

Secretary Johnson, Commissioner Kerlikowski, and Mr. Winkowski:

I am writing to follow up on a letter I sent your Department and your respective Agencies on June 13 of this year. It has been nearly 12 weeks (83 days, exactly) since I wrote to inquire about the Department of Homeland Security's policies and practices regarding the transfer of illegal immigrants within the United States. In fact, it has been 92 days since my most important questions were posed to the Department during a briefing on June 4 in Senator Jeff Flake's office.

I am appalled at the Department's response, or lack thereof, to these legitimate questions. The only communication from DHS to-date was sent to me on July 21 to inform me that my "inquiry is very important to [you] and the appropriate DHS Component is preparing information," and that "the Department's leadership has accorded [my] letter in a high priority and [you] are endeavoring to respond to [me] as soon as possible." Respectfully, I find these statements to be disingenuous at best.

My most important question regarding the citation of the Department's authority to conduct these transfers was supposed to be answered as soon as physically possible, and before the rest of my questions were reviewed and answered by the Department. It should not take DHS lawyers or policy personnel 80-90 days to respond with an answer to this question.

As I have stated, I find this lack of responsiveness both a disappointment and an insult. It certainly does not instill confidence in the Department's ability to decipher the United States Code; the Code of Federal Regulations; or any other executive rules, guidelines, or memorandums. The lack of will or ability to respond does not help Members of Congress

believe that DHS is a competent government agency. To the contrary, Members believe that DHS—like many other departments and agencies in this Administration—only wishes to stonewall Congressional inquiry and perform end-runs around the laws of this nation.

In conclusion, I will reiterate that my first question regarding information about the statutory authority, if any, that the Department is using to transfer illegal immigrants within the United States, is of paramount concern to many Members of Congress. I ask that you respond to this first question as soon as humanly possible.

Thank you for your attention to this matter. Should you have any questions or concerns, please do not hesitate to contact me. As always, I ask that this request be handled in strict accordance with existing rules, regulations, and ethical guidelines. I look forward to any substantive response from the Department on this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Paul A. Gosar". The signature is fluid and cursive, with the first name "Paul" being the most prominent part.

Paul A. Gosar
Member of Congress
Arizona's Fourth District

cc: Mr. Brian de Vallance, Assistant Secretary for Legislative Affairs, DHS